

## **ZONING BOARD OF APPEALS MEETING**

**PLACE: HEARING ROOM 2, MARSHFIELD TOWN HALL**

**OCTOBER 14, 2014 7:30 PM**

### **AGENDA**

#### **I. CALL TO ORDER**

#### **II. ROLL CALL**

#### **III. CONTINUED HEARINGS:**

**A. #14-42: Elizabeth Normanly**, 158 Arnold Rd., M08-03-11, R-3: Special Permit (10.12) of the Marshfield Zoning Bylaws to raze the existing two-story garage to construct a 12' x 14' shed with a 3' porch on the front on the existing footprint; to construct a 16' x 18' addition to the rear of the home. ~ REQUESTED A CONTINUANCE (10/14)

**B. #14-55: WENDYS OLD FASHIONED Hamburgers of NY, Inc.**, 730 Plain St., D10-01-13, B-2: Site Plan Approval (12.02) to modify the appearance of the exterior building without changing the current footprint, the parking, the lighting or the traffic pattern.

#### **C. CONTINUED TO OCTOBER 21<sup>st</sup>:**

1. **#14-43A: Dorothy Redmond**, 107 Beach St., M05-10-24, R-3 zone: Special Permit (10.12) to raze the existing pre-existing, non-conforming structure and to construct a 28' x 55' new dwelling on pilings, which will be less non-conforming on the setbacks due to the centering of the new dwelling
2. **#14-36A: New Cingular Wireless, PCS, LLC**: 1265 Ferry St., I16-12-15A, B-4, R-3 Site Plan Approval (12.02) per (11.12.3) and Special Permits (10.12) for the extension or alteration of a pre-existing non-conforming use or structure per Section 9.02.2, and Section 5.04 (Accessory use 25) and 11.12.3; and for Variances (10.11) for relief from Section 11.12.2(k), (height above roofline and location of associated equipment); and relief from Section 2, (definition of parking space – length of space); and relief from Section 6.10 (rear and side setbacks requirements), and relief from Section 9.04 (percentage of open space) relief from Section 12.01.10 (noise level requirements)

#### **IV. NEW HEARINGS:**

**A. #14-63: Town of Marshfield:** Petitioner is seeking a Special Permit in accordance with Section 10.12 and a Site Plan Approval in accordance with Section 12.02 of the Marshfield Zoning Bylaws construct a new water pumping station at the Fairgrounds Well which will be brick and block construction with a concrete slab roof, measuring 41' 6" x 26' 2", nominal, with a 20' x 6' concrete pad with a 1,000 gallon propane tank, enclosed by an 8' high chain link fence for security on the property located at Main Street Rear, identified on the Assessors' Maps as parcel G09-04-13, in the R-1 zone.

**B. #14-64: John & Christine Murphy:** Petitioners are seeking a Special Permit in under Section 10.12 of the Marshfield Zoning Bylaws to replace an aged, smoke-damaged house with an approximate 36' x 26' home that will provide setbacks that are greater than or equal to the currently existing home, on the property located at 10 Chickatawbut Avenue, which is located on the Assessors' Maps as parcel M08-11-05, in the R-3 zone.

**C. #14-65: Dan and Danielle Bender:** Petitioners are seeking a Special Permit in under

Section 10.12 of the Marshfield Zoning Bylaws to add an attached garage that will remain within the allowable setbacks on the property located at 4 Foster Avenue, which is identified on the Assessors' Maps as M09-06-04 and is located in the B-3 zone.

- D. **#14-66: Frances S. Hahn:** Petitioner is seeking a Special Permit in accordance with Section 10.12 of the Marshfield Zoning Bylaws to add a 13.4' x 14' rear deck and a 6' x 10' front entrance deck on the existing dwelling located at 48 Parker Street, which is identified on the Assessors' Maps as J13-02-28 and is in an R-3 zone.
- E. **#14-67: Old Allie, LLC:** Petitioner is appealing the decision of the Building Commissioner that the property is to be used to store boats, and not for use as a marina on the property located on Cherry Street, identified on the Assessors' Maps as parcel M06-09-01A and is in the R-3 zoning district.

V. **WEBSTER POINT – DETERMINATION IF PROPOSED CHANGES ARE SUBSTANTIAL OR NOT SUBSTANTIAL & REQUEST FOR EXTENSION OF TIME FOR ORIGINALLY APPROVED PROJECT**

VI. **CLOSED HEARINGS / DECISIONS TO BE MADE:**

- A. **#14-38A: Geoffrey & Maura Casler:** 1095 Careswell St., I02-0401, R-2: Variance (10.11) to use Section 5.04, Principal Uses, Agriculture (5) as an accessory use, to allow commercial kennel for sole purposes of dog-breeding inside the home [10/30]
- B. **#14-41A: Ralph Rotondo:** 192 - 200 Plain St., F09-03-18A, R-2: Appeal of the Building Inspector's decision in a letter dated April 9, 2014, to dismiss his complaint which alleges flooding trespass from the drainage system discharge of a neighboring property, which causes the petitioner's home to flood.[10/30]
- C. **#14-32A: Adelaide Realty Trust, Elizabeth Brown, Trustee and Spectrum Homes, Greg Gibbs, President:** 108 Webster Street, et al., K04-02-60, K04-02-61, K04-02-62, K05-01-06F, R-3. Special Permit (10.10) per Section 13.01(a) and (b) to construct drainage facilities in the Inland Wetlands District, and Variance (10.11) for relief from definition of "Driveway" to allow the applicant to construct a common driveway [10/30]
- D. **#14-39A: Michael Bouressa:** 24 Indiana St., I12-05-03 R-1: Special Permit in (10.10) and / or Variance (10.11) and any other relief the board deems appropriate, to raze an existing dwelling destroyed by rot/infestation & construct a 30.0' x 80.0' dwelling [10/30]
- E. **#14-35A: Erich Roht, Trustee, Marshfield Realty Trust:** 2205 Main St., E20-01-03, R-1 Special Permit (10.12) and findings under M.G.L. c. 40A sec. 6; Site Plan approval (12.01), variance (10.11) for expansion of a pre-existing non-conforming marina use to include 4 lodging units and the service of food and beverages; variance (10.11) from section 8.01 - minimum off-street parking requirements and section 8.06 - location and

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design of parking spaces and special permit for section 8.08.13 and any other relief the board deems appropriate – Record open for 30 days (10/22) [decision due: 10/30]

- F. #14-62: King Street Realty Trust:** 59 Lone St., C10-02-01A, I1: Site Plan Approval to construct three mini-storage unit buildings with the following dimensions: Building 1: 35' x 220'; Building 2: 30' x 260'; Building 3: 40' x 300' and attendant parking area with fenced in outside storage yard [10/28]

**VII. APPROVAL OF MINUTES:** Approval of minutes

**VIII. BOARD DISCUSSIONS**

- A.** Invitation from Housing Partnership
- B.** Land Surveyor Certification of Construction Plan for 93 Old Colony Lane (Marshfield Municipal Airport)

**IX. ANY OTHER BUSINESS NOT REASONABLY ANTICIPATED BY CHAIRMAN 48 HOURS IN ADVANCE**

**X. ADJOURNMENT**



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